

The Case of Roger Price, Esq;

TOGETHER WITH

REASONS inducing the passing an Act of Parliament for Settling his Wife a Jointure.

ROGER PRICE the Petitioner's Father being seized in Fee of the Mannour of *Westbury* in the County of *Bucks*, of the value of 400 *l. per Annum* did by a voluntary Settlement dated the 25th Day of *June* 1658, convey the same to *Sir John Cutler* and *Edward Trussell* and their Heirs, to the use of himself and *Anne* his Wife for their respective Lives; the remainder to *John Price* his Eldest Son then born, and the Heirs Males of his Body, with Remainders to his Second, Third, and every other Son on the Body of *Anne* begotten, in Tayle Male with Remainders to the Heirs of the Body of him and *Anne* to be begotten, and the Remainders to his right Heirs under a Proviso, That it should be lawfull for the said *Roger Price*, at any time during his Life, by his Deed or Deeds to alter, change, revoke, determine and make void all or any the Estate or Estates, Use or Uses limited to any of his Sons. And that from and after such alteration, change, revocation, determination, or making void thereof, that the said *Sir John Cutler*, &c. should stand seized of the Premises, to such Use and Uses of any the Son or Sons of the said *Roger* and *Anne*, and for such Estate and Estates, to such Son or Sons as the said *Roger Price* the Petitioner's Father by his Deed or Deeds should declare, limit or appoint.

The said *Roger Price* the Father being so seized, and having Issue *Roger* his second Son, *George*, *Thomas*, and other his younger Sons on the Body of the said *Anne*, and *John* the first Son being dead without Issue, the said *Roger* the Father by Indenture Tripartite dated the 8th of *August* 1676. reciting the aforesaid Settlement and Proviso, did pursuant thereunto, revoke all and every the Estate and Estates, Use and Uses in and by the said Settlement limited; and thereby limited the said Mannour and Premises, and declared that the Uses and Estates of and in the said Premises should be and enure; and that the said *Sir John Cutler*, &c. should stand seized of all the Premises from and after his Decease to the use of the Petitioner *Roger Price* his then Son and Heir apparent, for Ninety nine years, if he so long lived, with Remainders to three of his younger Sons and their Heirs for the Life of *Roger* the Petitioner, to preserve contingent Remainders with Remainder to the first Son of *Roger Price* the Petitioner and every other his Sons successively in Tayle Male, with like Remainders to every other the Sons of the said *Roger Price* the Father and their respective Sons in Tayle Male, with power to each of them when in possession successively to make, give, limit and appoint any of the Premises (except the Mannour-House, Gardens and Grounds about the same therein excepted) unto or to the use of any Wife or Wives, Woman or Women, as they respectively should Marry, for the Jointure of such Wife or Wives for their respective Lives.

Roger Price the Father also by his Will bearing Date the 26th of *August* 1676. settles other Lands within the aforesaid Mannour (by him purchased after the said Settlement) to the same use, with like Power to limit the same also for Jointures as he had before done by the Deed, chargeable nevertheless with several Annuities for Life (40 *l. per Annum* whereof is still in being.)

Roger the Father being dead, the said *Roger* the Petitioner (being in Possession) limited the Premises in Jointure to *Elizabeth* his Wife, but it being doubtfull whether such Power to *Roger* the Petitioner be sufficient and good in Law as was intended by his Father, It is therefore prayed an Act may pass to confirm and make good that Power to him and his Brothers when in possession successively.

Reasons humbly offered for passing the Bill.

First, for that it appears by the Settlement and Will, the Father intended the Sons successively should have power to make such Jointure.

Secondly, for that *Elizabeth* the Wife of the Petitioner brought a Fortune of 7000 *l.* into the Family.

Thirdly, for that they have Five Sons and a Daughter living, and the Eldest Son will have (besides the Mannour of *Westbury*, so intended for the Jointure of the Wife) an Estate of 1500 *l. per Annum*, which is now and hath been ever since the Petitioner's Father's Death in Trustees hands for raising of Portions for the Brothers and Sisters of the Petitioner.

Fourthly, unless the Petitioner can make a Jointure (according to his Father's Intention) out of *Westbury*, he will be disabled from making any Provision for his younger Children, the rest of his Estate (except 150 *l. per Annum*) being entailed upon his Eldest Son.

Fifthly, for that the Petitioner was forced to settle the said 150 *l. per Annum*, and his Wives Estate in Houses and Land, worth about 200 *l. per Annum* (which is intended for the younger Children) for a Collateral security that his Wife should enjoy her said Jointure until an Act of Parliament could be obtained to confirm the same, and unless such Act be obtained the Collateral security cannot be discharged, so that the younger Children cannot have any thing during their Mothers Life.